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Liberty County

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Clerk of Superior Court
Chatham County

Rhett Walker

Clerk of Superior Court
Dodge County

Brenda Weaver

Chief Judge
Superior Courts
Appalachian Judicial Circuit

James C. "Jim" Weidner

Attorney-at-Law
Oliver & Weidner, LLC
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Sunset provision finally abolished

HB 198, the bill to remove the sunset provision on the funding mechanism for the Clerks' Authority, has been signed by Governor Deal. The bill originally was written to extend the sunset to June 30, 2016; however, the Authority Board was unanimous in seeking that the sunset be repealed as opposed to being extended every couple years. The agreement to remove the sunset provision was crafted with the cooperation of the Georgia Association of Realtors and the State Bar Real Property Section.

Following the signing of the bill, Authority Chairman Barry Wilkes was asked to com-

ment on the importance of this event. He responded: "The other members of the Authority Board and I are pleased that the General Assembly has finally abolished the sunset on the Authority's funding. There may have been a need for a sunset provision during the genesis of the Real Estate Project but everyone concerned—including the Georgia Association of Realtors—agreed that it was time to stop bothering legislators every two years to extend it (the sunset). In the end, what convinced everyone that the sunset needed

Continued on Page 4



Pictured left to right: Dan Massey, Chatham Co. Superior Court Clerk; Greg Allen, Forsyth Co. Superior Court Clerk; Authority Chairman Barry Wilkes, Liberty Co. Superior Court Clerk; Mike Holiman, Cornerstone Communications; Gov. Nathan Deal; Rep. Tom Rice; Charles Baker, Hall Co. Superior Court Clerk; and Authority Executive Director David Williams

April Board Meeting Review

The Authority Board met on April 11 for its quarterly meeting. Following is a summary of the reports and actions of the meeting.

Swearing in of New Board Members:

Mike Smith, a notary public and communications director for the Authority, administered the oath of office to new board members, Daniel W. Massey, Clerk of Superior Court of Chatham County, and Judge Brenda Weaver, Chief Superior Court Judge of the Appalachian Judicial Circuit. The Board also welcomed new member James C. "Jim" Weidner who was previously sworn in by Governor Deal.

General Business:

The minutes of the January 11, 2012 board meeting were approved. Greg Morgan, with the Authority's accounting firm Mauldin & Jenkins, presented an overview of the financial status of the Authority and reported that the Authority staff has done a good job of monitoring accounts receivable. He also reported that accounts payable is down \$277K; current revenues are down \$1.2M; current payables are in good shape; and net revenues are up

\$563K which is better than originally budgeted. A motion to accept the Accountant's Report as presented was approved.

The 2012-2013 Authority Budget was then presented and a motion to adopt the budget as presented was approved by the Board.

UCC Project:

It was reported that the number of UCC filings in the current fiscal year is down slightly from the previous year but that the UCC Project is "holding its own" and meeting its budget. Staff has projected approximately 205,000 UCC filings for FYE 2012 which is a slight increase over the previous fiscal year.

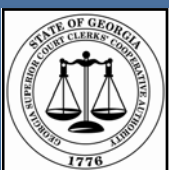
Fines & Fees Division:

An update was given on the Fines & Fees Division and it was reported that there has been a significant drop in collections for the Judicial Operations Fund Fee. More civil filings are being filed in Magistrate

Continued on Page 3



Authority Board of Directors (pictured from left to right): Rhett Walker, Chairman Barry Wilkes, Connie Cheatham, Charles Baker, Brenda Weaver, Vice Chairman Jean Rogers, Jim Weidner, Secretary/Treasurer Cindy Mason, and Dan Massey.



Board Meeting Review — Cont. from Page 2

Court where the \$125 civil filing surcharge does not apply as it does in State and Superior Court. Additionally, the number of civil filings is generally down across all courts.

It was also reported that the current priority schedule is being altered by legislation. A motion was made that, upon the legislation's effective date, the Authority adopt the amended priority schedule under O.C.G.A. 15-6-95 as referenced in SB 50 for State Courts, and upon the effective date of the amended priority schedule under O.C.G.A. 15-6-95 as referenced in SB 50, the Authority add the Driver Education Training Fund surcharge as the 15th item on the schedule for both Superior and State Courts. The motion was approved by the Board.

eFiling Project:

An update on the eFiling Project was then given. To date, six counties are participating in Real Estate eFile and 1,609 real estate documents have been eFiled. There are 61 counties participating in UCC eFile, and since inception, 23,000 UCCs have been eFiled. This fiscal year alone, 8,300 UCCs have been eFiled which is more than the entire previous fiscal year.

Historical Deed Project:

It was reported that the Historical Deed Project remains suspended due to a lack of funds. A motion to continue the suspension of the Historical Deed Project due to budgetary constraints was approved by the Board.

Voluntary Historical Deed Project:

It was reported that a number of Superior Court Clerks wish to submit historical deeds at their own expense to make them available to the public in order to generate print revenue. The Authority proposes a contract agreement to be entered into by the Authority and the submitting clerks to ensure that indexing standards are followed and the quality of the data is maintained. The process would involve interested clerks submitting a pre-indexing survey which would be subject to approval by the Authority. This would pro-

vide the Authority with a "road map" of the data that is going to be submitted and would also ensure that books are numbered correctly. A motion to approve the use of this agreement and to include a survey as part of the agreement was approved by the Board.

Training Update:

It was reported that there will be an additional Fines and Fees training class offered. Additionally, the Authority is receiving lots of positive feedback on its webinars as they do not require travel. It was also reported that 25 clerks and/or employees have successfully completed the certified indexing exam to become certified indexers.

Other Business:

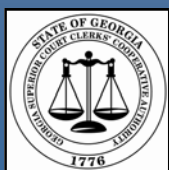
IACA Meeting Preview – Authority Communications Director Mike Smith and IT Manager Andy Wightwick gave a preview of the upcoming International Association of Commercial Administrators meeting. Both are members of IACA and will play key roles at the conference.

Authority Legislative Issues – It was reported that HB 198, which removes the sunset provision on the funding mechanism for the Authority, had been signed by Governor Deal. The agreement to remove the sunset provision was crafted with the cooperation of the Georgia Association of Realtors and the State Bar Real Property Section.

Board Resolutions – Resolutions honoring the service on the Authority Board of David Burge and Mike Johnson were read and a motion to accept the resolutions as presented was approved by the Board.

Next Board Meeting – The next quarterly Board meeting is scheduled for July 11.

Thomas C. Lawler Memorial Tribute – Chairman Wilkes recognized John Myers for providing funds for the memorial plaque honoring late GSCCCA Chairman Tom Lawler. The memorial plaque will be formally unveiled at the Superior Court Clerks' Spring Conference and then permanently displayed in the Authority office. ■



New Board Members Sworn In

At its recent meeting, the Board welcomed new members Brenda Weaver, Daniel W. Massey, and James C. Weidner.



Brenda Weaver has been a judge in the Appalachian Judicial Circuit since 1991 and currently serves as Chief Superior Court Judge. She has been instrumental in creating several court programs in her circuit including the Truancy Court in Pickens County, which serves as a model for truancy programs throughout the state, and the Appalachian Judicial Circuit Family Law Information Center which provides assistance to low-income individuals. She is a member of the State Bar of Georgia's eFiling Committee and was recently appointed to serve on the Next Generation Courts Commission. She is a former Assistant District Attorney, high school teacher and counselor. She and her husband, George, have five children and four grandchildren.

Dan Massey is in his eighth year as the Clerk of Superior Court for Chatham County after serving for more than 20 years in management positions with the various courts in the county. He has been honored twice as "Clerk of the Year" for the First Judicial District and is the recipient of the Edward M. Hester Award from the Savannah Bar Association. Massey earned a bachelor's degree from Armstrong Atlantic State University, a master's degree from Central Michigan University, and is a graduate of Leadership Sa-

vannah. He and his wife, Carole, have two children and two grandsons.

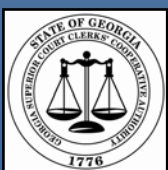
Jim Weidner is a partner with Oliver & Weidner, LLC, in Clarkesville. He serves on the board of directors of the United Way of Habersham County. He is a member of the Clarkesville Business Association, the Habersham County Chamber of Commerce, the White County Chamber of Commerce and the Habersham Medical Center Foundation. Weidner earned a bachelor's degree from State University of New York at Buffalo and a law degree from Georgia State. He and his wife, Susan, have four children. They reside in Demorest.

Weaver was appointed to the Authority Board by Chief Justice Carol Hunstein. Massey and Weidner were appointed by Gov. Nathan Deal. All three will serve three-year terms. ■

Sunset Abolished — Cont. from Page 1

to be abolished was the Authority's record over the past decade-and-a-half—a record of accomplishment and achievement that is unparalleled by any state governmental entity. The Authority is a paradigm of how government should work and it is a model of conservative stewardship and management of resources derived from users that fund its operations. I don't know any other state governmental agency that can claim the kind of successes the Authority has had and boast that it has never cost taxpayers one penny.

"On behalf of the Board and all 159 Clerks of Superior Court throughout the state, I sincerely thank legislators, realtors, lawyers, bankers and all others who support us. We remain committed to meeting our statutory mandates with respect to all the projects and systems that we manage while, at the same time, continually improving service delivery." ■



Authority honors Lawler's legacy

At the recent Superior Court Clerks' Spring Conference, a bronze plaque honoring late GSCCCA Chairman Tom Lawler was unveiled. Tom served as chairman of the Authority from 2005 until his death on November 23, 2011 following a courageous battle with cancer. Authority Chairman Barry Wilkes oversaw the unveiling ceremony and gave special recognition to MIT President John Myers for providing funds for the memorial plaque and thanked the committee that worked on putting the plaque together.

During the service, Board Vice Chairman Jean Rogers read the inscription on the plaque which included the following:

"During his tenure as Chairman of the Board, Tom Lawler provid-

ed critical insight that paved the way for the expansion of unprecedented technology in Superior Court Clerks' offices across the state and ensured the preeminence of the Clerks' Authority's reputation as one of the most progressive and efficient agencies in the state.

State of Georgia, the citizens of Gwinnett County, and to the other 158 Clerks of Superior Court, the Board of Directors of the Georgia Superior Court Clerks' Cooperative Authority dedicates this plaque to the memory of Thomas C. Lawler, III."

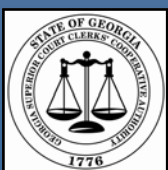
The plaque will be permanently displayed in the Authority office. ■



Above, Board members Dan Massey, Cindy Mason, Rhett Walker, Jean Rogers, Connie Cheatham, and Charles Baker watch as Authority IT Manager Andy Wightwick unveils the plaque honoring late GSCCCA Chairman Tom Lawler. In the picture to the left, Vice Chairman Jean Rogers reads the inscription. And below, Wightwick, Authority Communications Director Mike Smith and Authority Chairman Barry Wilkes pose with the newly unveiled bronze plaque.

ed critical insight that paved the way for the expansion of unprecedented technology in Superior Court Clerks' offices across the state and ensured the preeminence of the Clerks' Authority's reputation as one of the most progressive and efficient agencies in the state.

"In recognition of his countless contributions to the citizens of the



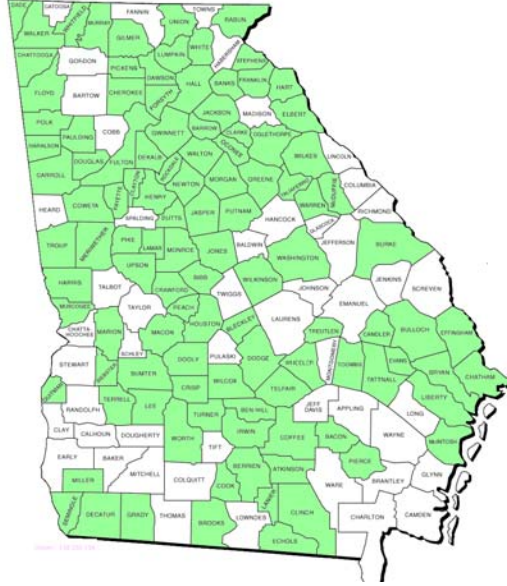
Notary Online ... a powerful tool

In 2004, the Clerks' Authority launched Notary Online to assist Superior Court Clerks with the day-to-day operations of their notary public divisions. Many enhancements have been made through the years to make it an even more effective tool. Currently, 109 counties participate in the program.

First, Notary Online provides a simple and powerful interface to process notary commissions. Notary applicants fill out an application online and bring it to the clerk's office for processing. The clerk's

office retrieves the application from the Clerk Resource Center, and, if the commission is granted, processes the application with a click of the mouse, generating commission certificates for printing. In addition to processing applications, Notary Online also provides for the processing of name and address changes, finding existing commissions to verify dates and signatures, generating Certificates of Authority, and much more.

If your county is still white on the map to the left, contact Rachel Rice at rachel.rice@gsccca.org or 1-800-304-5175 x1010 to learn how Notary Online can help you. ■



Postage Due?

The Real Property Law Section of the State Bar has asked for a reminder to Superior Court Clerks regarding recording of real estate instruments. A recurring topic has been the practice of a few offices requiring filing parties to provide addressed, postage-paid return envelopes along with real estate documents submitted for recording. In some instances it has been suggested that deeds and other instruments simply have not been returned to the filing party after recording unless the prepaid envelopes are provided.

Code Section 15-6-77(f) provides the fees for filing and recording documents pertaining to real estate and personal property. That section specifically provides that the sums are inclusive of recording and returning the instruments where applicable. No other provision can be found which provides for a requirement on the filing party to submit return envelopes, postage-paid or not.

Postage is a significant budget item for every clerk and returning real estate documents is a large part of that budget item. However, it appears clear that the clerk cannot demand that pre-paid envelopes be provided before returning recorded documents. You may wish to examine and consider your office policy regarding this issue. Perhaps it could be suggested to filers that providing the envelopes (at the filing parties' option) may help to speed the return of their documents to them.

